

Department of Public Health  
and Human Services

Section:  
INCOME

TANF CASH ASSISTANCE

Subject:  
Native American Income

**Supersedes:** TANF 501-2 (07/01/02 and Update 01/01/03)

**References:** ARM 37.78.102, .402, .415 and .416

GENERAL RULE--All unearned income received by the household must be considered when determining eligibility. Even if income will be excluded per policy, it **must** be listed on the TEAMS UNearned INcome screen (UNIN). TEAMS case notes (CANO) must be documented with explanation of why the income was excluded. Examples of documentary evidence of income are listed in TANF 500. The following is a list of unearned Native American income and how the income is to be coded on the TEAMS UNIN screen.

**For BIA general assistance, see “Assistance payments” in 501-1.  
For non-Indian lease or royalty income, see “Lease or royalty income” in 501-1.**

## INDIAN MONIES

Indian Monies may be countable or excluded depending on the source and amount.

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**NOTE:** Income that was countable when received is countable as a resource to the extent the money is retained into future months. Income that was excluded when received retains that exclusion as a resource when retained into future months.

### EXCLUDED SOURCES: (Code 'ID' on UNIN)

1. Payments of up to \$2000 per individual per calendar year that are derived from leases or other uses of **individually-owned** trust or restricted lands. The amount in excess of \$2,000 must be counted.
2. Judgment claim payments under:
  - P.L. 97-408 to the Blackfeet, Grosventre and Assiniboine Tribes of Montana and Papago, Arizona Tribe;
  - Alaska Native Claims Settlement Act (P.L. 92-203);
  - P.L. 93-531, Section 22 to Navajo or Hopi Indians as financial or relocation assistance;
  - P.L. 94-540 to Grand River Band of Ottawa Indians;

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- P.L. 95-433 by the Indian Claims Commission to the Confederated Tribes and Bands of the Yakima Indian Nation or the Apache Tribe of the Mescalero Reservation;
  - P.L. 96-420 to Passamaquoddy Tribe and Penobscot Nation pursuant to the Maine Indian Claims Settlement Act of 1980;
  - P.L. 97-403 to the Turtle Mountain Band of Chippewa;
  - P.L. 98-123, Section 3, to the Red Lake Band of Chippewa Indians;
  - P.L. 99-264 to the White Earth Band of Chippewa Indians in Minnesota;
  - P.L. 99-346 to the Saginaw Chippewa Indian Tribe of Michigan;
  - P.L. 101-41 to the Puyallup Tribe of Indians Settlement Act to members of the Puyallup Tribe in Washington;
  - P.L. 101-503, Section 8 (b) to the Seneca Nation;
  - P.L. 103-436, Section 7 (b) Grand Coulee Dam Settlement Act to the Confederated Tribes of the Colville Reservation;
  - 25 USCS 1931 Indian Child Welfare assistance;
  - P.L. 98-500, Section 8, Old Age Assistance Claim Settlement Act except for per capita payments in excess of \$2000;
  - payments to the Seminole Nation of Oklahoma, Seminole Tribe of Florida, Miccosukee Tribe of Florida and independent Seminole Indians of Florida except for per capita payments in excess of \$2000.
3. Payments derived from submarginal lands held in trust for the following tribes under P.L. 94-114:
- Bad River Band of the Lake Superior Tribe of Chippewa Indians of Wisconsin;
  - Blackfeet Tribe;
  - Cherokee Nation of Oklahoma;
  - Cheyenne River Sioux Tribe;
  - Crow Creek Sioux Tribe;
  - Lower Brule Sioux Tribe;
  - Devils Lake Sioux Tribe;
  - Fort Belknap Indian Community;
  - Assiniboine and Sioux Tribes;
  - Lac Courte Oreilles Band of Lake Superior; Chippewa Indians;
  - Keweenaw Bay Indian Community;
  - Minnesota Chippewa Tribe;
  - Navajo Tribe;
  - Oglala Sioux Tribe;

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- Rosebud Sioux Tribe;
- Shoshone-Bannock Tribes;
- Standing Rock Sioux Tribe.

4. Per capita to enrolled members of the following tribes when distributed under:

**P.L. 98-124, Section 5**

- Assiniboine Tribe of the Fort Belknap Indian Community and Assiniboine Tribe of the Fort Peck Indian Reservation.

**P.L. 99-146, Section 6 (b), Docket 18S and 18U**

- Bad River Reservation;
- Lac du Flambeau Reservation;
- Lac Courte Oreilles Reservation;
- Sokaogon Chippewa Community;
- Red Cliff Reservation;
- St. Croix Reservation;
- Keweenaw Bay Indian Community;
- Fond du Lac Reservation;
- Grand Portage Reservation;
- Nett Lake Reservation;
- White Earth Reservation.

**P.L. 99-146, Section 6 (b), Docket 18C and 18T**

- Lac Courte Oreilles Band of the Lake Superior Bands of Chippewa Indians;
- Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation;
- Sokaogon Chippewa Community of the Mole Lake Band of Chippewa Indians;
- St. Croix Chippewa Indians of Wisconsin.

**P.L. 99-377 Section 4 (b)**

- Chippewas of the Mississippi

**P.L. 94-189**

- Sac and Fox Tribe of the Mississippi, Iowa and Oklahoma

**P.L. 97-458, 93-134 and 98-64**

- Any other per capita payments of up to \$2000 per person, per payment, from funds held in trust by the Secretary of the Interior.

5. Interest earned on excluded funds.

**COUNTABLE SOURCES:**

1. Amounts exceeding \$2000 per individual per calendar year received from leases or other uses of **individually-owned** trust or restricted lands. Code the amount up to and including \$2000 as 'ID' on the UNIN screen as a running total for the calendar year. The best estimate of this year's income can be made on the previous 12 month's receipts of lease income as long as no significant change is expected.

Count the amount over \$2000 as excess income in the month received, if income can be prospected (code 'OA'). If income cannot be prospected, it is excluded and a TEAMS case note is the only action necessary on TEAMS.

2. Bureau of Indian Affairs (BIA) payments (TEAMS code 'OT' on UNIN);
3. Tribal payments (TEAMS code 'OT' on UNIN);
4. Farm and grazing lease income from land other than trust or restricted lands.(TEAMS code 'LE' on UNIN);
5. Oil and gas royalties income from land other than trust or restricted lands.(TEAMS code 'RO' on UNIN);
6. Mineral rights income from land other than trust or restricted lands.(TEAMS code 'LE' on UNIN);
7. Interest payments (TEAMS code 'DI' on UNIN);

**NOTE:** Interest payments on excluded funds are excluded.

8. Transfers of countable monies from other Indian agencies.

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